

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIMINAL NO. 12-433 (FAB)

**[1] BENIGNO HERNANDEZ-CLANDER,
[2] PEDRO HERNANDEZ-UBIERA,
[3] FRANCISCO MERCEDES**

Defendant.

**UNITED STATES' NOTICE OF DESIGNATION OF EVIDENCE
PURSUANT TO 12 (b)(4)(A) OF THE FEDERAL RULES
OF CRIMINAL PROCEDURE**

TO THE HONORABLE COURT:

COMES NOW, the United States of America, by and through the undersigned attorneys,
and hereby submits the designation of evidence it intends to use in its case-in-chief:

1.	All audio recordings including 26 consensually recorded phone calls
2.	Audio recording of the May 3, 2012 transaction
3.	All video recordings related to the May 3, 2012 transaction
4.	All seized currency
5.	Costco surveillance video dated May 3, 2012
6.	Transcripts of all audio and video

The United States reserves the right to amend this designation of evidence as it deems appropriate during the course of trial preparation.

WHEREFORE, the United States hereby submits its designation of evidence and prays that this Honorable Court take notice of the above and allow it to amend said designation if new evidence were to arise during the course of trial preparation.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 1st day of August, 2012.

ROSA EMILIA RODRIGUEZ-VELEZ
United States Attorney

/s/ Justin R. Martin
JUSTIN R. MARTIN
Assistant United States Attorney
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to counsel for the defendants.

/s/ Justin R. Martin
JUSTIN R. MARTIN
Assistant United States Attorney
USDC-No. G00713